

Adopted	Rejected
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COMMITTEE REPORT

YES:	26
NO:	0

MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred Senate Bill 523, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 pensions.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 36-8-1-11 IS AMENDED TO READ AS
- 7 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 11. (a) "Salary of a first
- 8 class patrolman or first class firefighter" means the base salary of a
- 9 patrolman or firefighter plus:
- 10 (1) all longevity increases, if provided by the employer, for
- 11 service of twenty (20) years or less; **and**
- 12 (2) **an amount equal to the greater of zero (0) or:**
- 13 (A) **the total remuneration or allowances for clothing that**
- 14 **are paid to the patrolman or firefighter; minus**

1 **(B) six hundred dollars (\$600);**

2 but does not include remuneration or allowances for fringe benefits,
3 incentive pay, holiday pay, insurance, clothing **(except to the extent**
4 **allowed under subdivision (2))**, automobiles, firearms, education,
5 overtime, or compensatory time off.

6 (b) With respect to the 1925, 1937, and 1953 funds, "salary of a first
7 class patrolman or firefighter" may include longevity increases for
8 more than twenty (20) years of service at the option of the employer but
9 only if these longevity increases had taken effect before January 1,
10 1983.

11 SECTION 2. IC 36-8-6-19 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 19. (a) Remuneration
13 or allowances for fringe benefits, incentive pay, holiday pay, insurance,
14 ~~clothing~~, automobiles, firearms, education, overtime, or compensatory
15 time off may not be used in the computation of benefits under this
16 chapter.

17 (b) If the remuneration or allowances described in subsection (a)
18 were used to compute benefits for a recipient who began receiving
19 benefits before May 2, 1977, this computation may continue only for
20 that recipient and only during the eligibility period for benefits. The
21 municipality and the official involved are not liable for making the
22 overpayment, and a recipient is not required to repay the overpayment.

23 **(c) Remuneration or allowances for clothing may be used in the**
24 **computation of benefits under this chapter to the extent allowed**
25 **under IC 36-8-1-11.**

26 SECTION 3. IC 36-8-7-25 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 25. (a) Remuneration
28 or allowances for fringe benefits, incentive pay, holiday pay, insurance,
29 ~~clothing~~, automobiles, firearms, education, overtime, or compensatory
30 time off may not be used in the computation of benefits under this
31 chapter.

32 (b) If the remuneration or allowances described in subsection (a)
33 were used to compute benefits for a recipient who began receiving
34 benefits before May 2, 1977, this computation may continue only for
35 that recipient and only during the eligibility period for benefits. The
36 unit and the official involved are not liable for making the
37 overpayment, and a recipient is not required to repay the overpayment.

38 **(c) Remuneration or allowances for clothing may be used in the**

1 **computation of benefits under this chapter to the extent allowed**
 2 **under IC 36-8-1-11.**

3 SECTION 4. IC 36-8-7.5-21 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 21. (a) Remuneration
 5 or allowances for fringe benefits, incentive pay, holiday pay, insurance,
 6 ~~clothing~~, automobiles, firearms, education, overtime, or compensatory
 7 time off may not be used in the computation of benefits under this
 8 chapter.

9 (b) If the remuneration or allowances described in subsection (a)
 10 were used to compute benefits for a recipient who began receiving
 11 benefits before May 2, 1977, this computation may continue only for
 12 that recipient and only during the eligibility period for benefits. The
 13 city and the official involved are not liable for making the
 14 overpayment, and a recipient is not required to repay the overpayment.

15 (c) **Remuneration or allowances for clothing may be used in the**
 16 **computation of benefits under this chapter to the extent allowed**
 17 **under IC 36-8-1-11."**

18 Renumber all SECTIONS consecutively.

(Reference is to ESB 523 as printed March 28, 2003.)

and when so amended that said bill do pass.

Representative Crawford